

**Exhibit 7**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

COMMUNITY BANK OF NORTHERN  
VIRGINIA MORTGAGE LENDING  
PRACTICES LITIGATION

MDL No. 1674  
02-1201, 03-0425, 05-0688, 05-1386  
**ELECTRONICALLY FILED**

**ORDER OF COURT**

This case was reassigned to this Court on May 16, 2013. Doc. no. 593. Since then, the Court has reviewed:

- (1) the FDIC's Motion to Dismiss for Lack of Jurisdiction and Motion to Dismiss/Strike Plaintiffs' Class Action Claims and Certain Prayers for Relief Against the FDIC and its Brief in Support (doc. nos. 516, 517);
- (2) PNC's Motion to Dismiss for Failure to State a Claim and its Brief in Support (doc. nos. 520, 521);
- (3) Plaintiffs' Briefs in Opposition to each of the Motions (doc. nos. 539, 540, respectively);
- (4) the Reply Brief filed by the FDIC and PNC as to PNC's Motion to Dismiss (doc. no. 548);
- (5) the Reply Brief filed by the FDIC as to the FDIC's Motion to Dismiss and Motion to Dismiss/Strike (doc. no. 549);
- (6) Plaintiffs' Sur-Reply Brief as to PNC's Motion to Dismiss (doc. no. 554);
- (7) Plaintiffs' Sur-Reply Brief as to the FDIC's Motion to Dismiss and Motion to Dismiss/Strike (doc. no. 561); and

(8) a transcript of the September 18, 2012, oral argument related to the above-referenced Motions (doc. no. 591); as well as

(9) all supplemental authority filed by the parties related to these Motions (doc. nos. 562, 565, 573, 577-579, 594, 598, 599, 600, 602, and 603).

The Court ordered the parties to attend a status conference on June 12, 2013. On June 5, 2013, the Court notified the parties that any new argument pertaining to the Motions should be made orally during the status conference. The parties have not advanced any new arguments.

**AND NOW, this 12<sup>th</sup> day of June, 2013,** upon consideration of all of the written and oral submissions proffered by the parties:

The Court **GRANTS** Defendant FDIC's Motion to Dismiss for Lack of Subject Matter Jurisdiction (doc. no. 516).

The Court **GRANTS IN PART and DENIES IN PART** Defendant PNC's Motion to Dismiss for Failure to State a Claim (doc. no. 520) as follows:

(1) PNC's Motion to Dismiss the named representatives who did not schedule their claims in this case as an asset of their bankruptcy estate and/or who are not the real party in interest, is **GRANTED**;

(2) PNC's Motion to Dismiss any claims brought against it by any Plaintiff whose loan did not originate with PNC nor was assigned to PNC, is **GRANTED**;

(3) PNC's Motion to Dismiss claims made pursuant to §2607(b) of Real Estate Settlement Procedures Act ("Section 1100 fees"), 12 U.S.C. § 2607 ("RESPA"), is **GRANTED**;

(4) PNC's Motion to Dismiss Plaintiffs Edward Kruszka and Richard Montgomery for failure to join an indispensable party pursuant to Fed.R.Civ.P. 12(b)(7), is **GRANTED**;

(5) PNC's Motion to Dismiss actual damages under the Truth in Lending Act, as amended by the Home Ownership Equity Protection Act, 15 U.S.C. § 1601 ("TILA/HOEPa"), *et seq.*, is **DENIED**;

(6) PNC's Motion to Dismiss TILA/HOEPa claims and the Racketeering Influenced Corrupt Organizations Act, 18 U.S.C. §§ 1962(c) and (d), is **DENIED**; and

(7) PNC's Motion to Dismiss claims made pursuant to any Section of RESPA other than Section §2607(b) of RESPA ("Section 1100 fees"), is **DENIED**.

The Court's Opinion related to this Order shall be filed in due course.

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel